

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1 to 6 (cancelled).

Claim 7 (currently amended): A communication system having a plurality of first communication apparatuses, each of the plurality of first communication apparatuses comprising:

first communication means for executing a first communication between each first communication apparatus and a second communication apparatus by a first communication protocol;

acquisition means for:

- (a) acquiring, using the first communication, identification information formed by a random number of the second communication apparatus;  
before:
- (b)(a) transmitting, from one of the first communication apparatuses to the second communication apparatus, a request for available protocol information; requesting usability of at least one communication protocol from the second communication apparatus, the usability being:
  - (i) ~~sent to the at least one communication apparatus from the second communication apparatus; and~~
- (c)(ii) receiving, from the second communication apparatus, the requested available protocol information, the received available protocol information being indicative of a second each communication protocol which is available by the second communication apparatus; and
- (d)(b) acquiring protocol information of the second communication protocol which is available by the second communication apparatus; acquiring, using the first communication, identification information formed by a random number of the second communication apparatus;

exchange means for exchanging communication information necessary to a second communication executed using the ~~second~~ communication protocol which is available by the second communication apparatus between each first communication apparatus and the second communication apparatus by the first communication executed by the first communication protocol;

switching means for switching the first communication between each first communication apparatus and the second communication apparatus from the first communication executed by the first communication protocol to the second communication executed by the ~~second~~ communication protocol which is available by the second communication apparatus; and

second communication means for executing the second communication by the ~~second~~ communication protocol which is available by the second communication apparatus between each first communication apparatus and the second communication apparatus based on the communication information exchanged by the exchange means.

Claim 8 (currently amended): A communication apparatus comprising:

first communication means for executing a first communication between the communication apparatus and another communication apparatus by a first communication protocol;

acquisition means for:

- (a) acquiring identification information formed by a random number of the another communication apparatus by the first communication executed by the first communication protocol; ~~before:~~
- (b)(a) transmitting, to the another communication apparatus, a request for available protocol information; ~~requesting usability of at least one communication protocol, the usability being:~~
- (i) ~~sent to the communication apparatus from the another communication apparatus;~~  
and
- (c)(ii) receiving, from the another communication apparatus, the requested available protocol information, the received available protocol information being indicative

of each a second communication protocol which is available by the another communication apparatus; and

(d)(b) ~~acquiring~~ protocol information of the ~~second~~ communication protocol which is available by the another communication apparatus through the first communication executed by the first communication protocol;

exchange means for exchanging communication information necessary to a second communication executed using the ~~second~~ communication protocol which is available by the another communication apparatus between the communication apparatus and the another communication apparatus by the first communication executed using the first communication protocol;

switching means for switching the first communication between the communication apparatus and the another communication apparatus from the first communication executed by the first communication protocol to the second communication executed using the ~~second~~ communication protocol which is available by the another communication apparatus; and

second communication means for executing the second communication by the ~~second~~ communication protocol which is available by the another communication apparatus between the communication apparatus and the another communication apparatus based on the communication information exchanged by the exchange means.

Claim 9 (currently amended): The communication apparatus of claim 8, wherein the first communication executed by the first communication protocol and the ~~second~~ another communication executed by the ~~second~~ communication protocol which is available by the another communication apparatus include wireless communication, and, when the another communication apparatus is located in the vicinity of the communication apparatus, the first communication means executes the first communication by the first communication protocol between the communication apparatus and the another communication apparatus.

Claim 10 (previously presented): The communication apparatus of claim 9, wherein the first communication is executed by specifying the another communication apparatus located in the vicinity of the communication apparatus.

Claim 11 (currently amended): A method of executing a communication between a communication apparatus and another communication apparatus, the method comprising:

executing a first communication between the communication apparatus and the another communication apparatus by a first communication protocol;

acquiring identification information formed by a random number of the another communication apparatus by the first communication executed by the first communication protocol;~~before:~~

transmitting, to the another communication apparatus, a request for available protocol information;

(a) ~~requesting usability of at least one communication protocol from the another communication apparatus, the usability being:~~

(i) ~~sent to the communication apparatus from the another communication apparatus;~~  
and

receiving, from the another communication apparatus, the requested available protocol information, the received available protocol information being (ii) indicative of each a second communication protocol which is available by the another communication apparatus; and

(b) ~~acquiring information of the second communication protocol which is available by the another communication apparatus by the first communication executed by the first communication protocol;~~

exchanging communication information necessary to a second communication executed by the ~~second~~ communication protocol that is available by the another communication apparatus between the communication apparatus and the another communication apparatus by the first communication executed by the first communication protocol;

switching the communication between the communication apparatus and the another communication apparatus from the first communication executed by the first communication protocol to the second communication executed by the ~~second~~ communication protocol which is available by the another communication apparatus; and

executing the second communication by the ~~second~~-communication protocol which is available by the another communication apparatus between the communication apparatus and the another communication apparatus based on the communication information exchanged.

Claim 12 (currently amended): A computer-readable medium including executable instructions that when executed by a processor performs steps for processing a communication between a communication apparatus and another communication apparatus, said steps comprising:

a first communication step of executing a first communication between the communication apparatus and the another communication apparatus by a first communication protocol;

an acquisition step of acquiring identification information formed by a random number of the another communication apparatus by the first communication executed by the first communication protocol; ~~before:~~

transmitting, to the another communication apparatus, a request for available protocol information;

(a) ~~requesting usability of at least one communication protocol from the another communication apparatus, the usability being:~~

(i) ~~sent to the communication apparatus from the another communication apparatus;~~  
and

receiving, from the another communication apparatus, the requested available protocol information, the received available protocol information being (ii) indicative of each a second communication protocol which is available by the another communication apparatus; and

(b) ~~acquiring information of the second-communication protocol which is available by the another communication apparatus by the first communication executed by the first communication protocol;~~

an exchange step of exchanging communication information necessary to a second communication executed by the ~~second~~-communication protocol that is available by the another communication apparatus between the communication apparatus and the another communication apparatus by the first communication executed by the first communication protocol;

a switching step of switching the first communication between the communication apparatus and the another communication apparatus from the first communication executed by the first communication protocol to the second communication executed by the ~~second~~ communication protocol which is available by the another communication apparatus; and

a second communication step of executing the second communication by the ~~second~~ communication protocol which is available by the another communication apparatus between the communication apparatus and the another communication apparatus based on the communication information exchanged at the exchange step.

Claim 13 (currently amended): A communication apparatus for executing a communication between the communication apparatus and a second communication apparatus, the communication apparatus comprising:

a logical layer communication unit that executes a wireless communication between the communication apparatus and the second communication apparatus using a logical communication protocol;

a first communication unit that executes a wireless communication between the communication apparatus and the second communication apparatus using a first communication protocol;

a second communication unit that executes a wireless communication between the communication apparatus and the second communication apparatus using a second communication protocol, wherein the first communication protocol and the second communication protocol are a lower layer protocol to the logical communication protocol;

an acquisition unit configured to: ~~that acquires~~

(a) acquire identification information formed by a random number from the second communication apparatus used to execute the wireless communication using the first communication protocol; ~~before:~~

(b)(a) transmitting to the second communication apparatus, a request for available protocol information; ~~requesting usability of at least one communication protocol from the second communication apparatus, the usability being:~~

- ~~(i) sent to the communication apparatus from the second communication apparatus; and~~
- ~~(c)(ii) receiving, from the second communication apparatus, the requested available protocol information, the received available protocol information being indicative of each the second communication protocol which is available by the second communication apparatus; and~~
- ~~(d)(b) acquiring information of the second communication protocol being available for use by the second communication apparatus;[[,]] and further~~
- ~~(e) acquiring setting information used to establish the wireless communication using the second communication protocol which is available by the second communication apparatus, through the communication using the first communication protocol, wherein the setting information is necessary to execute the wireless communication by the second communication protocol which is available by the second communication apparatus; and~~

a control unit that controls to establish the wireless communication using the second communication protocol based on the acquired setting information and terminates the wireless communication using the first communication protocol.

Claim 14 (previously presented): The communication apparatus of claim 13, wherein the first communication protocol is NFCIP-1.

Claim 15 (previously presented): The communication apparatus of claim 13, wherein the acquisition unit repeatedly executes polling for requesting identification information until a response is received.

Claim 16 (previously presented): The communication apparatus of claim 13, wherein a transaction ID and a transaction key are exchanged with the second communication apparatus for mutual authentication, through the communication using the first communication protocol, wherein mutual authentication occurs after acquiring the identification information and before acquiring the setting information.

Claim 17 (previously presented): The communication apparatus of claim 13, wherein the communication apparatus is a first mobile apparatus and the second communication apparatus is a second mobile apparatus.

Claim 18 (currently amended): A communication apparatus comprising:

a processor;

a memory device storing instructions which when executed by the processor, cause the processor to:

- (a) using a first communication protocol, execute a first communication between the communication apparatus and another communication apparatus, the another communication apparatus having identification information formed by a random number;
- (b) using the first communication, acquire the identification information; ~~before:~~
- (c) transmit, to the another communication apparatus, a request for available protocol information;
- (i) ~~the communication apparatus requests usability of at least one communication protocol, the requested usability being:~~
- (A) ~~sent to the communication apparatus from the another communication apparatus;~~  
~~and~~
- (d) receive, from the another communication apparatus, the requested available protocol information, the received available protocol information being (B)  
indicative of a second each communication protocol which is available by the another communication apparatus; and
- (e) acquire (ii) the communication apparatus acquires protocol information of the second communication protocol which is available by the another communication apparatus;
- (f)(e) using the first communication, exchange communication information necessary to a second communication executed using the ~~second~~ communication protocol



which is available by the another communication apparatus between the communication apparatus and the another communication apparatus;

(g)(d) switch the first communication between the communication apparatus and the another communication apparatus from the first communication executed by the first communication protocol to the second communication executed using the ~~second~~-communication protocol which is available by the another communication apparatus; and

(h)(e) execute the second communication by the ~~second~~-communication protocol which is available by the another communication apparatus between the communication apparatus and the another communication apparatus based on the exchanged communication information.

Claim 19 (new): The communication apparatus of Claim 8, wherein the acquisition means determines whether to switch to the communication protocol which is available by the another communication apparatus based on a transmission rate associated with the received available protocol information.